

**REMARKS**

Claims 24, 25, 27, 28, 33, 34, and 40 are presented for examination. Claims 1-23, 29-32 and 35-39 are cancelled.

Claims 24, 25, 27 and 40 have been amended per the Examiner's request to remove the words "for."

Claim 34 has been rejected under 35 U.S.C. 112, second paragraph.

In response, claim 34 has been amended to more clearly show that claim 34 depends from claim 33.

In particular, claim 34 recites the movable purchase pick-up arrangement introduced in claim 33.

Claim 40 has been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

In response, claim 40 has been amended to more clearly define the claimed subject matter.

Claims 24 and 25 have been rejected under 35 U.S.C. 102(e) as being anticipated by Turner.

It is noted that the Examiner indicated that the elements following the word "for" as given little patentable weight.

Claims 24 and 25 have been amended to remove the words "for." It is respectfully submitted that the claims, as amended, are clearly defined over Turner.

In particular, amended claim 24 recites a system for selling goods having multiple purchase obtaining facilities for enabling customers to obtain pre-ordered purchases, comprising:

a storage facility for storing the goods,

an ordering device enabling a customer to place a purchase order, and

a telecommunication system that in response ~~responsive~~ to the purchase order placed by the customer requests an ordered purchase to be delivered from the storage facility to a selected purchase obtaining facility,

the selected purchase obtaining facility comprising:

multiple purchase pick-up points,

a service area keeping purchases delivered from the storage facility,

an identification station receiving identification (ID) data provided by the customer arriving at the selected purchase obtaining facility to obtain the ordered purchase, and

a control system that:

receives the ID data from the identification station,

in response to the ID data received from the identification station, automatically assigns a purchase pick-up point of the multiple purchase pick-up points to the customer,

determines purchase information on the purchase order placed by the customer based on the ID data provided by the customer, and

based on the determined purchase information, issues a request for delivery of the ordered purchase from the service area to the purchase pick-up point assigned to the customer,

wherein the control system automatically releases from assignment to the customer the purchase pick-up point in response to payment by the customer, and assigns the purchase pick-up point to another customer as soon as the purchase pick-up point is released.

It is respectfully submitted that Turner does not teach or suggest the claimed control system, identification station and service area.

Claims 27 and 28 have been rejected under 35 U.S.C. 103 as being unpatentable over Turner in view of Joseph. Claims 33 and 34 have been rejected under 35 U.S.C. 103 as being unpatentable over Turner in view of Joseph and further in view of In re Lindberg. Claim 40 has

been rejected under 35 U.S.C. 103 as being unpatentable over Turner in view of Joseph and further in view of Official Notice.

Claims 27, 28, 33, 34 and 40 dependent from claim 24 are defined over the prior art at least for the reasons presented above in connection with the claim 24.

Moreover, it is respectfully submitted that the movable purchase pick-up arrangement recited in claims 33 and 34 provide unexpected results because this arrangement makes it possible to use an arrangement for delivery a purchase to the customer from the service area as a purchase pick-up point.

In view of the foregoing, and in summary, claims 24, 25, 27, 28, 33, 34, and 40 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Alexander Y. Yampolsky  
Registration No. 36,324

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 AVY:apr  
Facsimile: 202.756.8087  
**Date: March 9, 2009**

**Please recognize our Customer No. 20277  
as our correspondence address.**